



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

September 2, 2003

S. 269

Captive Wildlife Safety Act

*As ordered reported by the Senate Committee on Environment and Public Works
on July 30, 2003*

SUMMARY

S. 269 would amend current law to prohibit interstate and foreign trade of certain species of animals. CBO estimates that implementing the bill would cost about \$4 million annually, assuming appropriation of the necessary amounts. The bill could increase direct spending and revenues, but we estimate that any such changes would be minimal and largely offsetting.

S. 269 contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

The bill would impose a private-sector mandate, but CBO estimates that the direct costs of the mandate would fall well below the annual threshold established in UMRA (\$117 million in 2003, adjusted annually for inflation) in any of the next five years.

ESTIMATED COST TO THE FEDERAL GOVERNMENT

The estimated budgetary impact of S. 269 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and environment).

	By Fiscal Year, in Millions of Dollars				
	2004	2005	2006	2007	2008
CHANGES IN SPENDING SUBJECT TO APPROPRIATION					
Estimated Authorization Level	4	4	4	4	4
Estimated Outlays	4	4	4	4	4

BASIS OF ESTIMATE

S. 269 would amend current law to make it illegal to import, export, transport, sell, receive, acquire, or purchase species of lion, tiger, leopard, cheetah, jaguar, cougar, and certain hybrids. Violators of the proposed prohibition on interstate and foreign trade of such animals would be subject to criminal and civil penalties. The bill specifies certain types of individuals and institutions that would be exempted from the proposed prohibition.

Based on information from the U.S. Fish and Wildlife Service (USFWS), CBO estimates that implementing S. 269 would cost about \$4 million annually, assuming appropriation of the necessary amounts. That amount includes \$3.5 million for additional staff to conduct the kinds of inspections and investigations that the bill would require and up to \$500,000 for administrative costs to issue permits to individuals and institutions that would be exempted from the proposed prohibition.

S. 269 could increase revenues from civil and criminal fines. Based on information from the USFWS and the Animal and Plant Health Inspection Service (APHIS) about the relatively small number of cases likely to occur, however, CBO estimates that any such increase would be less than \$500,000 annually. Moreover, such changes would be fully offset by increases in direct spending from the Crime Victims Fund (where criminal fines are deposited) or the resource management account of the USFWS (where civil fines are deposited and used for rewards to informers and for other program costs).

ESTIMATED IMPACT ON STATE, LOCAL, AND TRIBAL GOVERNMENTS

S. 269 contains no intergovernmental mandates as defined in UMRA and would impose no costs on state, local, or tribal governments.

ESTIMATED IMPACT ON THE PRIVATE SECTOR

The bill would prohibit persons, with some exceptions, from importing, exporting, transporting, selling, receiving, acquiring, or purchasing in interstate or foreign commerce any live species of lion, tiger, leopard, cheetah, jaguar, or cougar or any hybrid of any of those species. At the same time, S. 269 would exempt several groups from the prohibition including: exhibitors or facilities that are licensed or registered and inspected by a federal agency, certain brokers or dealers licensed and inspected by the federal government, certain

persons licensed by the state, and other groups such as animal shelters, humane societies, and sanctuaries that qualify under the bill's criteria.

Under current law, the Endangered Species Act already prohibits the interstate sale and international trade of tigers, leopards, cheetahs, and jaguars. In addition, the international trade of lions and cougars is prohibited under the Convention of International Trade in Endangered Species of Wild Fauna and Flora. According to APHIS and representatives of wildlife sanctuary associations, the bill would not cause significant new activity in the demand for licenses or accreditations. Further, CBO expects that the incremental costs to the entities that would have to comply with the requirements of the bill in order to deal with wild cats would not be substantial. Thus, CBO estimates that the costs of the mandate to the private sector would fall well below the annual threshold established in UMRA (\$117 million in 2003, adjusted annually for inflation).

PREVIOUS CBO ESTIMATE

On August 28, 2003, CBO transmitted a cost estimate for H.R. 1006, the Captive Wildlife Safety Act, as ordered reported by the House Committee on Resources on July 15, 2003. S. 269 and H.R. 1006 are substantively similar, and our cost estimates are the same.

The private-sector mandates in the two bills are similar, and CBO estimated that the total direct costs of those mandates would fall well below the annual threshold for private-sector mandates established in UMRA.

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